

**COMMONWEALTH OF MASSACHUSETTS**

**TOWN OF GRAFTON  
ANNUAL TOWN MEETING  
MAY 13, 2019**

**MINUTES**

The Annual Town Meeting for the Town of Grafton was held on Monday, May 13, 2019 in the Auditorium of the Grafton High School at 7:30 p.m.

Upon order of the Moderator, Raymond Mead, 217 Brigham Hill Road, checkers were stationed at the entrances to the hall, using voting lists with which to check the names of those persons who entered.

The Moderator opened the meeting at 7:30 p.m. and welcomed all present.

Chairman of the Board of Selectmen, Sargon Hanna, led the Pledge of Allegiance.

Mr. Mead advised all present of the procedures used during Town Meeting.

Mr. Mead then appointed David Robbins, 92 George Hill Road, as Deputy Moderator.

Mr. Mead recognized Ginny Kremer, Town Counsel, and Tim McInerney, Town Administrator, Rebecca Meekins, Assistant Town Administrator and Town Clerk, Kandy Lavallee. Representative David Muradian and Senator Michael Moore spoke briefly about the House Budget. Mr. Mead acknowledged Selectmen Craig Dauphinais and Planning Board Chair Michael Scully for their dedication and service with the Town.

Representatives from the Upton Electronic Voting Committee were present to see how the electronic voting works.

Town Clerk, Kandy Lavallee, read the return of the warrant.

Finance Committee Chair, Sue Robbins read the State of the Town.

**ARTICLE 1. HEAR REPORTS OF OFFICES, BOARDS AND COMMITTEES**

To see if the Town will vote to hear the reports of the several Town Officers, Boards and Committees as printed in the 2018 Town Report without ratification of any action or authorization of any action set forth in said reports.

Submitted by: Town Administrator

MOTION by Selectmen Hanna: I move the Town vote to hear the reports of the several Town Officers, Boards and Committees as printed in the 2018 Town Report without ratification of any action or authorization of any action set forth in said reports.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 2. APPOINT TRUSTEE OF NELSON PARK AND MEMORIAL**

To see if the Town will vote to re-appoint Billy Kuck as a Trustee of the Nelson Park and Memorial Library and Building Fund for a term of three years.

Submitted by: Nelson Park and Memorial Trustees

MOTION by Selectmen Dauphinais: I move that the Town vote to re-appoint Billy Kuck as a Trustee of the Nelson Park and Memorial Library and Building Fund for a term of three years.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 3. TOWN'S SHARE OF NET OPERATING COSTS – BLACKSTONE VALLEY VOCATIONAL REGIONAL SCHOOL DISTRICT**

To see if the Town will vote to raise and appropriate the sum of \$721,070 for the purpose of paying the Town's share of the net operating costs of the Blackstone Valley Vocational Regional School District for the Fiscal Year commencing July 1, 2019.

The Moderator tested the hand held voting devices at the request of Selectmen Hanna due to a concerned voter.

Submitted by: Blackstone Valley Vocational Regional School District Committee

MOTION by Selectmen Thomas: I move that the Town vote to raise and appropriate the sum of \$721,070 for the purpose of paying the Town's share of the net operating costs of the Blackstone Valley Vocational Regional School District for the Fiscal Year commencing July 1, 2019.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 4. BLACKSTONE VALLEY VOCATIONAL SCHOOL – PRINCIPAL AND INTEREST**

To see if the Town will vote to raise and appropriate \$49,491 to fund the principal and interest costs for FY20 to be incurred by the Blackstone Valley Vocational Regional School District for its capital expansion project..

Submitted by: Blackstone Valley Vocational Regional School District Committee

MOTION by Selectmen Spinney: I move that the Town vote to raise and appropriate \$49,491 to fund the principal and interest costs for FY20 to be incurred by the Blackstone Valley Vocational Regional School District for its capital expansion project.

The motion was seconded.

A vote was taken.

The moderator declared the motion carried.

#### **ARTICLE 5. FY20 BUDGETS**

To see if the Town will vote to raise and appropriate \$60,902,791, appropriate \$2,907,287 from Sewer Receipts, and transfer \$40,600 from Sewer Betterments, for a total appropriation of \$63,850,678, all as recommended by the Town Administrator and as shown in the Finance Committee's printed report for the purpose of funding the operation of the several Town Departments in the Fiscal Year beginning July 1, 2019. .

Submitted by: Town Administrator

Motion was made by Selectmen Prisby, to raise and appropriate \$60,902,791, appropriate \$2,907,287 from Sewer Receipts, and transfer \$40,600 from Sewer Betterments, for a total appropriation of \$63,850,678, all as recommended by the Town Administrator and as shown in the Finance Committee's printed report for the purpose of funding the operation of the several Town Departments in the Fiscal Year beginning July 1, 2019.

Town Administrator, Timothy McInerney, gave a brief presentation about the FY 20 budget.

After holding on the Municipal Center and School Department budgets, an amended motion was made by Selectmen Prisby to raise and appropriate \$23,996,501 and appropriate \$2,907,287 from Sewer Receipts, and transfer \$40,600 from Sewer

Betterments, for a total appropriation of \$26,944,388, all as recommended by the Town Administrator and as shown in the Finance Committee's printed report for the purpose of funding the operation of the several Town Departments in the Fiscal Year beginning July 1, 2019.

The motion was seconded.

The Moderator declared the motion carried.

**ARTICLE 5-A** Upon motion of Selectmen Prisby, it was voted to raise and appropriate \$36,582,273 for the purpose of funding the School Department budget as printed for the Fiscal Year beginning July 1, 2019.

The motion was seconded.

A discussion ensued by Town Meeting members.

The Moderator declared the motion carried.

**ARTICLE 5-B.** Upon motion of Selectmen Prisby, it was voted to raise and appropriate \$329,017 for the purpose of funding the Municipal Center budget as printed for the Fiscal Year beginning July 1, 2019.

The motion was seconded.

A discussion ensued by Town Meeting members.

An amended motion was made by Ken Grew, to fund the amount of \$18,263 from the overlay surplus account to be added to the personnel account of the Municipal Center account 193 to enable the continuance of the services of the part time custodian.

The motion was seconded.

Ken Grew spoke about his motion.

A discussion ensued by Town Meeting members.

The Moderator spoke to Town Meeting members about the amended motion and how it will affect the budget.

The motion was revised to the following; I move to fund the amount of \$5,000 from the overlay surplus account to be added to the personnel account of the Municipal Center account 193 to enable the continuance of the services of the part time custodian.

The Moderator declared the amended motion carried.

**ARTICLE 6. FUND FY20 CAPITAL EXPENDITURE BUDGET**

To see if the Town will vote to appropriate the sum of \$970,323 from free cash and transfer \$16,298 from the following accounts:

<b>Description</b>	<b>Amount</b>
159 Millbury Street, October 2017	\$ 81.30
MIS/GIS Records, May 2006	\$ 297.00
Storage Shelves, May 2016	\$ 1,022.80
Voter Scanner, May 2017	\$ 6,300.00
Poll Pads, May 2017	\$ 4,075.00
DPW Facility Study, October 2010	\$ 1,800.00
2019 Chevrolet Tahoe Fire, May 2018	\$ 955.46
School Building Security, May 2017	\$ 82.80
Replace '05 Chevrolet Pickup Cemetery, May 2017	\$ 1,684.48

For a total of \$986,622, for the purpose of funding the FY20 Capital Expenditure Budget, **as shown on the screen**, said sum to be spent under the direction of the Board of Selectmen and Town Administrator.

Submitted by: Town Administrator

MOTION by Selectmen Hanna: I move that the Town vote to appropriate the sum of \$970,323 from free cash and transfer \$16,298 from the following accounts:

<b>Description</b>	<b>Amount</b>
159 Millbury Street, October 2017	\$ 81.30
MIS/GIS Records, May 2006	\$ 297.00
Storage Shelves, May 2016	\$ 1,022.80
Voter Scanner, May 2017	\$ 6,300.00
Poll Pads, May 2017	\$ 4,075.00
DPW Facility Study, October 2010	\$ 1,800.00
2019 Chevrolet Tahoe Fire, May 2018	\$ 955.46
School Building Security, May 2017	\$ 82.80
Replace '05 Chevrolet Pickup Cemetery, May 2017	\$ 1,684.48

For a total of \$986,622, for the purpose of funding the FY20 Capital Expenditure Budget, **as shown on the screen**, said sum to be spent under the direction of the Board of Selectmen and Town Administrator.

The motion was seconded.

A vote was taken.

The moderator declared the motion carried.

## **ARTICLE 7. TRANSPORTATION BOND BILL**

To see if the Town will vote to appropriate \$498,523 for State-Aid Highway purposes, as requested by the Board of Selectmen, to be reimbursed by the Commonwealth under the provisions of the Transportation Bond Bill, so-called, and amendments thereto, for roadway construction, reconstruction and improvements, including surface treatments and other work incidental thereto

Submitted by: Town Administrator

MOTION by Selectmen Dauphinais: I move that the Town vote to appropriate \$498,523 for State-Aid Highway purposes, as requested by the Board of Selectmen, to be reimbursed by the Commonwealth under the provisions of the Transportation Bond Bill, so-called, and amendments thereto, for roadway construction, reconstruction and improvements, including surface treatments and other work incidental thereto

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 8. AUTHORIZE BOARD TO ACCEPT & ENTER INTO CONTRACTS**

To see if the Town will vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted by the Commonwealth of Massachusetts for construction, reconstruction, or improvements to public roads.

Submitted by: Town Administrator

MOTION by Selectmen Thomas: I move that the Town vote to authorize the Board of Selectmen to accept and enter into contracts for the expenditure of any funds allotted by the Commonwealth of Massachusetts for construction, reconstruction, or improvements to public roads.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 9. AUTHORIZE SPENDING LIMITS FOR REVOLVING ACCOUNTS**

To see if the Town will vote to authorize the total expenditures for the revolving funds as printed in the 2019 Annual Town Meeting Warrant, pursuant to G.L. c. 44 Section 53E ½, for the fiscal year beginning July 1, 2019, to be expended in accordance with the bylaws heretofore approved.

Submitted by: Town Administrator

MOTION by Selectmen Spinney: I move the town vote to authorize the total expenditures for the revolving funds as printed in the 2019 Annual Town Meeting Warrant, pursuant to G.L. c. 44 Section 53E ½, for the fiscal year beginning July 1, 2019, to be expended in accordance with the bylaws heretofore approved

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 10. FIRE DEPARTMENT INSURANCE SUPPLEMENT**

To see if the Town will vote to pass over Article 10.

Submitted by: Town Administrator

MOTION by Selectmen Prisby: I move that the Town vote to pass over Article 10.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 11. FY20 GRAFTON CABLE TELEVISION BUDGET**

To see if the Town will vote to appropriate \$313,306 from the PEG Access Account to fund the FY20 Grafton Community Television Budget as presented.

Submitted by: Grafton Cable Oversight Committee

MOTION by Selectmen Hanna: I move that the Town vote to appropriate \$313,306 from the PEG Access Account to fund the FY20 Grafton Community Television Budget as presented.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 12. AUTHORIZE TREASURER/COLLECTOR TO BORROW MONEY**

To see if the Town will vote to authorize the Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2019, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and amendments thereto, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and amendments thereto

Submitted by: Town Administrator

MOTION by Selectmen Dauphinais: I move the Town vote to authorize the Treasurer/Collector, with the approval of the Board of Selectmen, to borrow money from time to time in anticipation of the revenue of the fiscal year beginning July 1, 2019, in accordance with the provisions of the Massachusetts General Laws, Chapter 44, Section 4, and amendments thereto, and to issue a note or notes as may be given for a period of less than one year in accordance with Massachusetts General Laws, Chapter 44, Section 17, and amendments thereto.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 13. UNEMPLOYMENT COMPENSATION**

To see if the Town will vote to raise and appropriate \$50,000, said sum to be added to the Unemployment Compensation Account, for the purposes of paying the Unemployment Compensation expenses of the Town.

Submitted by: Town Administrator

MOTION by Selectmen Thomas: I move the Town vote to raise and appropriate \$50,000, said sum to be added to the Unemployment Compensation Account, for the purposes of paying the Unemployment Compensation expenses of the Town.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 14. FUNDING FOR TRANSPORTATION SERVICES FROM WRTA**

To see if the Town will vote to authorize the Board of Selectmen to request the funding of transportation services from the WRTA, and to contract for and provide elderly bus services for the Town of Grafton for the period of July 1, 2019, through June 30, 2020.

Submitted by: Town Administrator

MOTION by Selectmen Spinney: I move the Town vote to authorize the Board of Selectmen to request the funding of transportation services from the WRTA, and to contract for and provide elderly bus services for the Town of Grafton for the period of July 1, 2019, through June 30, 2020.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 15. SALE OF SURPLUS PROPERTY**

To see if the Town will vote to pass over Article 15.

Submitted by: Town Administrator

MOTION by Selectmen Prisby: I move that the Town vote to pass over Article 15.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 16. PART-TIME ECONOMIC DEVELOPMENT SPECIALIST**

To see if the Town will vote to transfer \$30,000 from free cash for the purpose of funding the salary of a part-time economic development specialist.

Submitted by: Town Administrator

MOTION by Selectmen Hanna: I move that the Town vote to transfer \$30,000 from free cash for the purpose of funding the salary of a part-time economic development specialist.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 17. CPC – OPERATING BUDGET**

To see if the Town will vote to appropriate the sum of \$24,000 from the fiscal year 2020 Community Preservation Fund Balance for CPC Purposes, for the purpose of funding the operating budget of the Community Preservation Committee

Submitted by: Community Preservation Committee

MOTION by Selectmen Dauphinais: I move that the Town vote to appropriate the sum of \$24,000 from the fiscal year 2020 Community Preservation Fund Balance for CPC Purposes, for the purpose of funding the operating budget of the Community Preservation Committee.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 18. CPC – PELL FARM BOND PAYMENT**

To see if the Town will vote to appropriate the sum of \$79,950 from the Community Preservation Open Space Reserve account, for the purpose of making the 11<sup>th</sup> interest and principal payment on the \$1.2 million bond issued for the purchase of the Pell Farm property.

Submitted by: Community Preservation Committee

MOTION by Selectmen Thomas: I move that the Town vote to appropriate the sum of \$79,950 from the Community Preservation Open Space Reserve account, for the purpose of making the 11<sup>th</sup> interest and principal payment on the \$1.2 million bond issued for the purchase of the Pell Farm property.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 19. CPC – GRAFTON TOWN HOUSE BOND PAYMENT**

To see if the Town will vote to appropriate the sum of \$72,450 from the Fiscal Year 2020 Community Preservation Historical Reserve account, for the purpose of making the 5<sup>th</sup> interest and principal payment on the \$1.1 million bond issued for the restoration of the Grafton Town House.

Submitted by: Community Preservation Committee

MOTION by Selectmen Spinney: I move that the Town vote to appropriate the sum of \$72,450 from the Fiscal Year 2020 Community Preservation Historical Reserve account, for the purpose of making the 5<sup>th</sup> interest and principal payment on the \$1.1 million bond issued for the restoration of the Grafton Town House.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 20. CPC – GRAFTON TOWN COMMON RESTORATION**

To see if the Town will vote to appropriate \$651,723, with \$451,723 from the Community Preservation Act Undesignated Fund Balance account and \$200,000 from CPA FY2020 Revenue, for the purpose of restoring the historic Grafton Common, with such funds to be expended by June, 2021.

Submitted by: Community Preservation Committee

MOTION by Selectmen Prisby: I move that the Town vote to appropriate \$651,723, with \$451,723 from the Community Preservation Act Undesignated Fund Balance account and \$200,000 from CPA FY2020 Revenue, for the purpose of restoring the historic Grafton Common, with such funds to be expended by June, 2021.

The motion was seconded.

A discussion ensued by Town Meeting members.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 21. CPC – WEIGHTS AND MEASURES CABINET RESTORATION**

To see if the Town will vote to appropriate \$10,000 from the Community Preservation Historic Reserve account for the purpose of restoring the 1848 Howard and Davis Scale and Cabinet, with such funds to be expended by June, 2021.

Submitted by: Community Preservation Committee

MOTION by Selectmen Hanna: I move that the Town vote to appropriate \$10,000 from the Community Preservation Historic Reserve account for the purpose of restoring the 1848 Howard and Davis Scale and Cabinet, with such funds to be expended by June, 2021.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 22. CPC – HISTORICAL AND CULTURAL RESOURCES INVENTORY**

To see if the Town will vote to appropriate \$30,000 from the Community Preservation Act Undesignated Fund Balance for the purpose of updating Grafton's 1991 Inventory of Historical and Cultural Resources, with such funds to be expended by June, 2021.

Submitted by: Community Preservation Committee

MOTION by Selectmen Dauphinais: I move that the Town vote to appropriate \$30,000 from the Community Preservation Act Undesignated Fund Balance for the purpose of updating Grafton's 1991 Inventory of Historical and Cultural Resources, with such funds to be expended by June, 2021.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 23. CPC – LIONS CLUB PROPERTY RECREATIONAL IMPROVEMENTS**

To see if the Town will vote to appropriate the sum of \$41,500 from the Community Preservation Act Undesignated Fund Balance account for design and engineering work to determine costs for recreational upgrades at Grafton Lions Club Dauphinais Park, with such funds to be expended by June, 2021.

Submitted by: Community Preservation Committee

MOTION by Selectmen Thomas: I move that the Town vote to appropriate the sum of \$41,500 from the Community Preservation Act Undesignated Fund Balance account for design and engineering work to determine costs for recreational upgrades at Grafton Lions Club Dauphinais Park, with such funds to be expended by June, 2021

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 24. LONG RANGE IT ACCOUNT**

To see if the Town will vote to transfer \$10,000 from free cash, for the purposes of funding the Long-Range Information Technology Maintenance Account, pursuant to Article 17 of the May 12, 2014 Annual Town Meeting.

Submitted by: Town Administrator

MOTION by Selectmen Spinney: I move that the Town vote to transfer \$10,000 from free cash, for the purposes of funding the Long-Range Information Technology Maintenance Account, pursuant to Article 17 of the May 12, 2014 Annual Town Meeting..

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 25. FIRE DEPARTMENT RETIREMENT ACCOUNT**

To see if the Town will vote to pass over Article 25.

Submitted by: Town Administrator

MOTION by Selectmen Prisby: I move the Town vote to pass over Article 25.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 26. FIRE HYDRANTS– SOUTH GRAFTON WATER DISTRICT**

To see if the Town will vote to accept the following hydrants from the South Grafton Water District:

- Number 110
- Number 111
- Number 112
- Number 113
- Number 114
- Number 115

Submitted by: Town Administrator

MOTION by Selectmen Hanna: I move that the Town vote to accept the following hydrants from the South Grafton Water District:

- Number 110
- Number 111
- Number 112
- Number 113
- Number 114
- Number 115

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 27. PROPERTY TAX EXEMPTION FOR VETERANS WHOSE PROPERTY HAS BEEN CONVEYED TO A TRUST**

To see if the Town will vote to accept the provisions of M.G.L. 59, § 5, Clause Twenty-second G (inserted by Section 15 of Chapter 218 of the Acts of 2018 known as an act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for any real estate that is the domicile of a person but is owned by a trustee, conservator, or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F if the person were the owner of the real estate.

Submitted by: Town Administrator

MOTION by Selectmen Dauphinais: I move the Town vote to accept the provisions of M.G.L. 59, § 5, Clause Twenty-second G (inserted by Section 15 of Chapter 218 of the Acts of 2018 known as an act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which

provides for a property tax exemption for any real estate that is the domicile of a person but is owned by a trustee, conservator, or other fiduciary for the person's benefit if the real estate would be eligible for exemption under clause Twenty-second, Twenty-second A, Twenty-second B, Twenty-second C, Twenty-second D, Twenty-second E, Twenty-second F if the person were the owner of the real estate.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

## **ARTICLE 28. PROPERTY TAX EXEMPTION FOR GOLD STAR PARENTS**

To see if the Town will vote to accept the provisions of M.G.L c. 59, § 5, Clause Twenty-second H (inserted by Section 15 of Chapter 218 of the Acts of 2018 known as an act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the Commonwealth for not less than 6 months before entering service.

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Submitted by: Town Administrator

MOTION by Selectmen Thomas: I move the Town vote to accept the provisions of M.G.L c. 59, § 5, Clause Twenty-second H (inserted by Section 15 of Chapter 218 of the Acts of 2018 known as an act Relative to Veterans' Benefits, Rights, Appreciation, Validation, and Enforcement ("BRAVE Act")), signed into law August 28, 2018, which provides for a property tax exemption for real estate to the full amount of the taxable valuation of the real property of the surviving parents or guardians of soldiers and sailors, members of the National Guard and veterans who: (i) during active duty service, suffered an injury or illness documented by the United States Department of Veteran Affairs or a branch of the armed forces that was a proximate cause of their death; (ii) are missing in action with a presumptive finding of death as a result of active duty service as members of the Armed Forces of the United States; provided, however, that

the real estate shall be occupied by the surviving parents or guardians as the surviving parents' or guardians' domicile; and provided further that the surviving parents or guardians shall have been domiciled in the Commonwealth for the 5 consecutive years immediately before the date of filing for an exemption pursuant to this clause or the soldier or sailor, member of the National Guard or veteran was domiciled in the Commonwealth for not less than 6 months before entering service.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 29. VETERANS' PROPERTY TAX WORK-OFF PROGRAM**

To see if the Town will vote to accept the provisions of M.G.L. Ch. 59, Sec. 5N, to create a Veteran's Property Tax Work-Off Program.

Submitted by: Town Administrator

MOTION by Selectmen Spinney: I move the Town vote to accept the provisions of M.G.L. Ch. 59, Sec. 5N, to create a Veteran's Property Tax Work-Off Program.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

#### **ARTICLE 30. PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAW**

To see if the Town will vote to amend the Grafton Zoning By-Law district entitled "Village Mixed Use District" and the corresponding maps, density schedules, and use tables, by replacing the existing Zoning District title "Village Mixed Use District" with the title "Village and Neighborhood Mixed Use District", as described and presented in the Planning Board report.

Submitted by: Planning Board

MOTION by Selectmen Prisby: I move the Town vote to amend the Grafton Zoning By-Law district entitled "Village Mixed Use District" and the corresponding maps, density schedules, and use tables, by replacing the existing Zoning District title "Village Mixed Use District" with the title "Village and Neighborhood Mixed Use District", as described and presented in the Planning Board report.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds votes.

#### **ARTICLE 31. PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAW**

To see if the Town will vote to amend the Grafton Zoning By-Law district entitled "Village and Neighborhood Mixed Use District" and the corresponding maps, density schedules, and use tables, by adding a new district entitled "Worcester Street Neighborhood Center (VMU-WS)" as reflected in documents on file with the Town Clerk, and also as described and presented in the Planning Board report.

Submitted by: Planning Board

MOTION by Selectmen Hanna: I move the Town vote to amend the Grafton Zoning By-Law district entitled "Village and Neighborhood Mixed Use District" and the corresponding maps, density schedules, and use tables, by adding a new district entitled "Worcester Street Neighborhood Center (VMU-WS)" as reflected in documents on file with the Town Clerk, and also as described and presented in the Planning Board report.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds votes.

#### **ARTICLE 32. PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAW**

To see if the Town will vote to amend the Grafton Zoning By-Law district entitled "Village and Neighborhood Mixed Use District" and the corresponding maps, density schedules, and use tables, by adding a new district entitled "Transit Village Neighborhood Center (VMU-TV)" as reflected in documents on file with the Town Clerk, and also as described and presented in the Planning Board report.

Submitted by: Planning Board

MOTION by Selectmen Dauphinais: I move the Town vote to amend the Grafton Zoning By-Law district entitled "Village and Neighborhood Mixed Use District" and the corresponding maps, density schedules, and use tables, by adding a new district entitled "Transit Village Neighborhood Center (VMU-TV)" as reflected in documents on

file with the Town Clerk, and also as described and presented in the Planning Board report.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds votes.

### **ARTICLE 33. PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAW**

To see if the Town will vote to amend ZBL Section 3.2.3.1 Use Regulation Table of the Zoning By-Laws to permit Marijuana Retailers as a special permit use as indicated by "S" within the Community Business (CB) Districts

Submitted by: Planning Board

MOTION by Selectmen Thomas: I move the Town vote to amend ZBL Section 3.2.3.1 Use Regulation Table of the Zoning By-Laws to permit Marijuana Retailers as a special permit use as indicated by "S" within the Community Business (CB) Districts.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

A Discussion ensued with Town Meeting members.

Selectmen Hanna asked to move the question.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

A vote was taken on the original motion.

The Moderator declared the motion was defeated and did not meet the required two-thirds votes.

### **ARTICLE 34. PROPOSED AMENDMENTS TO THE GRAFTON ZONING BY-LAW**

To see if the Town will vote to amend Section 5.2 entitled "Multi-Family Dwellings" of the Zoning By-Laws by adding ZBL Section 5.2.3 Affordability as follows:

5.2.3 Affordability: For projects greater than eight residential units, projects must include affordable housing units as specified below:

5.2.3.1 Ownership Units. For all Projects containing Homeownership Units, not less than twenty percent (20%) of the total housing units constructed in a Project shall be Affordable.

5.2.3.2 For all Projects containing Rental Units, not less than twenty five percent (25%) of total housing units in any building containing rental units shall be Affordable;

5.2.3.3 For purposes of calculating the number of units of Affordable Housing required within a Project, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

5.2.3.4 Affordable Units shall comply with requirements of Massachusetts Executive Office of Housing and Economic Development requirements for counting towards the Town's Subsidized Housing Inventory.

Submitted by: Planning Board

MOTION by Selectmen Spinney: I move the Town vote to amend Section 5.2 entitled "Multi-Family Dwellings" of the Zoning By-Laws by adding ZBL Section 5.2.3 Affordability as follows:

5.2.3 Affordability: For projects greater than eight residential units, projects must include affordable housing units as specified below:

5.2.3.1 Ownership Units. For all Projects containing Homeownership Units, not less than twenty percent (20%) of the total housing units constructed in a Project shall be Affordable.

5.2.3.2 For all Projects containing Rental Units, not less than twenty five percent (25%) of total housing units in any building containing rental units shall be Affordable;

5.2.3.3 For purposes of calculating the number of units of Affordable Housing required within a Project, any fractional unit of 0.5 or greater shall be deemed to constitute a whole unit.

5.2.3.4 Affordable Units shall comply with requirements of Massachusetts Executive Office of Housing and Economic Development requirements for counting towards the Town's Subsidized Housing Inventory.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

A vote was taken.

The Moderator declared the motion carried by the required two-thirds votes.

**ARTICLE 35. CITIZENS PETITION – RENAME "BOARD OF SELECTMEN"**

To see if the Town will vote to approve changing the name “Board of Selectmen” to “Select Board” and render required text changes to the Town Charter and Town By-Laws as necessary.

Submitted by: Citizen Petition

MOTION by Barry Smith: I move the Town vote to approve changing the name “Board of Selectmen” to “Select Board” and render required text changes to the Town Charter and Town By-Laws as necessary.

The motion was seconded.

Barry Smith spoke briefly on the topic.

A vote was taken.

The Moderator declared the motion carried by the required two-third votes.

#### **ARTICLE 36. CITIZENS PETITION – CAPITAL IMPROVEMENT BY LAW**

To see if the Town will vote to create a Capital Improvement By-Law Committee whose function is to create a proposed By Law establishing a Capital Improvement Planning Committee as described in the Grafton town charter. The Committee will research the capital planning function and define in the proposed By Law a strong mandate for the Capital Improvement Planning Committee. The membership of the Capital Improvement By-Law Committee will consist of (1) member of the Board of Selectmen (1) member of the Finance Committee (1) member of the School Committee and (2) members at large to be appointed by the Town Moderator. The Capital Improvement By Law Committee will be dissolved immediately after the 2019 Fall Town Meeting.

Submitted by: Citizen Petition

MOTION by Mat Often: I move the Town vote to create a Capital Improvement By Law Committee whose function is to create a proposed By Law establishing a Capital Improvement Planning Committee as described in the Grafton town charter. The Committee will research the capital planning function and define in the proposed By Law a strong mandate for the Capital Improvement Planning Committee. The membership of the Capital Improvement By Law Committee will consist of (1) member of the Board of Selectmen (1) member of the Finance Committee (1) member of the School Committee and (2) members at large to be appointed by the Town Moderator. The Capital Improvement By Law Committee will be dissolved immediately after the 2019 Fall Town Meeting.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

**ARTICLE 37. CITIZENS PETITION – MARIJUANA CULTIVATOR AND PRODUCT MANUFACTURING USES IN VMU ZONING IN SOUTH GRAFTON**

To see if the Town will vote to amend ZBL Section 3.2.3.1 Use Regulation Table of the Zoning By-Laws to permit marijuana cultivators and marijuana manufacturing within the Village Mixed Use District in South Grafton as printed in the warrant.

Submitted by: Citizen Petition

MOTION by Bob Heavey: I move the Town vote to amend ZBL Section 3.2.3.1 Use Regulation Table of the Zoning By-Laws to permit marijuana cultivators and marijuana manufacturing within the Village Mixed Use District in South Grafton as printed in the warrant.

The motion was seconded.

Robert Hassinger, Chairman of the Planning Board, read the Planning Board's Report.

Bob Heavey spoke briefly on the topic.

A discussion ensued.

A motion was made to move the question.

The motion was seconded.

A vote was taken.

The Moderator declared the motion carried.

A vote was taken on the original motion.

The Moderator declared the motion was defeated as it did not meet the required two-thirds votes.

**ARTICLE 38. CITIZENS PETITION – POLYSTYRENE REDUCTION BYLAW**

To see if the Town will vote to adopt the following Polystyrene Reduction bylaw:

**POLYSTYRENE REDUCTION BYLAW**

**Section 1.**

"Director", The Director of Public Health Services or the Town Manager/Board of Selectmen designee. "Disposable Food Service Container" means single-use disposable products for serving or transporting prepared ready-to-consume food or beverages, including without limitation, take-out foods and/or leftovers from partially

consumed meals prepared by a food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, or utensils. It does not include single-use disposable packaging for unprepared foods.

“Food Establishment” means any operation that stores, prepares packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. Seq., shall be considered a food establishment for purposes of this ordinance.

“Expanded polystyrene” means blown polystyrene (polystyrene that has been expanded or “blown” using a gaseous blowing agent into a solid foam) and expanded and extruded forms, which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion blow molding (extruded foam polystyrene).

“Prepared Food” means any food or beverage prepared on the food establishment’s premises, using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten on or off the food establishment’s premises.

## SECTION 2.

Food establishments are prohibited from dispensing prepared food to customers in disposable food service containers made from expanded polystyrene.

## SECTION 3.

(a) The Director may promulgate rules and regulations to implement this section.

(b) Each Food Establishment as defined in Section 1, above, located in the Town of Grafton shall comply with this by-law.

(c) If it is determined that a violation has occurred the Director shall issue a warning notice to the Food Establishment for the initial violation.

(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the Food Establishment.

(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

A) \$50 for the SECOND offense paid within 21 days to the Department of Health.

B) \$100 for the THIRD offense and all subsequent offenses.

4) No more than one (1) penalty shall be imposed upon a Food Establishment within a seven (7) calendar day period.

5) A Food Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.

6) All subsequent offenses may be penalized by a non-criminal disposition as provided in the General Laws, Chapter 40, Section 21D.

All of the requirements set forth in this by-law shall take effect January 1, 2020. In the event that compliance with the effective date of this by-law is not feasible for a Food

Establishment because of either unavailability of alternative food service containers or economic hardship, the Director may grant a waiver of not more than six months upon application of the owner or owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continued infeasibility as set forth above.

Submitted by: Citizen Petition

MOTION by Ann Marie Foley: I move the Town vote to adopt the following Polystyrene Reduction bylaw:

#### POLYSTYRENE REDUCTION BYLAW

##### Section 1.

"Director", The Director of Public Health Services or the Town Manager/Board of Selectmen designee. "Disposable Food Service Container" means single-use disposable products for serving or transporting prepared ready-to-consume food or beverages, including without limitation, take-out foods and/or leftovers from partially consumed meals prepared by a food establishment. This includes, but is not limited to, plates, cups, bowls, trays, hinged or lidded containers, straws, cup lids, or utensils. It does not include single-use disposable packaging for unprepared foods.

"Food Establishment" means any operation that stores, prepares packages, serves, vends, or otherwise provides food for human consumption, as further defined in 105 CMR 590.002. Any establishment requiring a permit to operate in accordance with the State Food Code, 105 CMR 590.000, et. Seq., shall be considered a food establishment for purposes of this ordinance.

"Expanded polystyrene" means blown polystyrene (polystyrene that has been expanded or "blown" using a gaseous blowing agent into a solid foam) and expanded and extruded forms, which are thermoplastic petrochemical materials utilizing a styrene monomer and processed by any number of techniques, including, but not limited to, fusion of polymer spheres (expandable bead polystyrene), injection molding, form molding, and extrusion blow molding (extruded foam polystyrene).

"Prepared Food" means any food or beverage prepared on the food establishment's premises, using any cooking or food preparation technique. Prepared food does not include any raw uncooked meat, fish or eggs unless provided for consumption without further food preparation. Prepared food may be eaten on or off the food establishment's premises.

##### SECTION 2.

Food establishments are prohibited from dispensing prepared food to customers in disposable food service containers made from expanded polystyrene.

##### SECTION 3.

(a) The Director may promulgate rules and regulations to implement this section.

(b) Each Food Establishment as defined in Section 1, above, located in the Town of Grafton shall comply with this by-law.

(c) If it is determined that a violation has occurred the Director shall issue a warning notice to the Food Establishment for the initial violation.

(2) If an additional violation of this by-law has occurred within one year after a warning notice has been issued for an initial violation, the Director shall issue a notice of violation and shall impose a penalty against the Food Establishment.

(3) The penalty for each violation that occurs after the issuance of the warning notice shall be no more than:

A) \$50 for the SECOND offense paid within 21 days to the Department of Health.

B) \$100 for the THIRD offense and all subsequent offenses.

4) No more than one (1) penalty shall be imposed upon a Food Establishment within a seven (7) calendar day period.

5) A Food Establishment shall have fifteen (15) calendar days after the date that a notice of violation is issued to pay the penalty.

6) All subsequent offenses may be penalized by a non-criminal disposition as provided in the General Laws, Chapter 40, Section 21D.

All of the requirements set forth in this by-law shall take effect January 1, 2020. In the event that compliance with the effective date of this by-law is not feasible for a Food Establishment because of either unavailability of alternative food service containers or economic hardship, the Director may grant a waiver of not more than six months upon application of the owner or owner's representative. The waiver may be extended for one (1) additional six-month period upon showing of continued infeasibility as set forth above.

The motion was seconded.

A discussion ensued.

A vote was taken.

The Moderator declared the motion carried.

A motion was made to adjourn the meeting at 11:10 pm.

The Moderator declared the motion carried, and declared the meeting adjourned.

A true copy,  
Attest,

Kandy L. Lavallee  
Town Clerk